

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
(DETROIT)**

In re:)	
)	
CITY OF DETROIT, MICHIGAN,)	CASE NO.: 13-53846
)	
Debtor.)	CHAPTER 9
)	
)	Hon. Steven W. Rhodes
)	

***EX PARTE* MOTION OF THE WATER AND SEWER BOND TRUSTEE
FOR AN ORDER AUTHORIZING IT TO FILE AN OBJECTION TO THE CITY’S
AMENDED DISCLOSURE STATEMENT IN EXCESS OF PAGE LIMITATIONS**

U.S. Bank National Association, in its capacity as trustee (the “***Trustee***”) for those certain bonds issued by the City of Detroit (the “***City***”) for the Detroit Water and Sewer Department (the “***DWSD***”) to (a) finance and refinance improvements to the City’s Water Supply System and (b) finance and refinance improvements to the City’s Sewage Disposal System, hereby files this *Ex Parte Motion of The Water and Sewer Bond Trustee for an Order Authorizing it to File an Objection to the City’s Amended Disclosure Statement in Excess of Page Limitations* (the “***Ex Parte Motion***”), for entry of an order authorizing the Trustee to file *The Water and Sewer Bond Trustee’s Objection to the Amended Disclosure Statement* (the “***Objection***”) to the *Amended Disclosure Statement with Respect to Plan for the Adjustment of Debts of the City of Detroit* (Doc. 3382) (the “***Amended Disclosure Statement***”), which Objection is five pages in excess of the page limitations of Rule 7.1(d)(3)(A) of the Local Rules for the United States District Court for the Eastern District of Michigan (the “***Local Rules***”). In support of this Ex Parte Motion, the Trustee states as follows:

1. On March 14, 2014, the Trustee submitted a written request (the “**Written Request**”) to the City to include additional information in the *Disclosure Statement with Respect to Plan for the Adjustment of Debts of City of Detroit*, dated February 21, 2014 (Doc. 2709), in accordance with the *Second Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor’s Plan of Adjustment* (Doc. 2937). On March 31, 2014, the City filed the Amended Disclosure Statement. The Amended Disclosure Statement did not include much of the information requested by the Trustee in its Written Request, and, therefore, the Trustee intends to file its Objection.

2. The Local Rules for the United States Bankruptcy Court for the Eastern District of Michigan (the “**Local Bankruptcy Rules**”) do not establish a specific page limit for objections to disclosure statements. Local Bankruptcy Rule 9014(e) sets a limit of twenty page limit for certain briefs, but Local Bankruptcy Rule 9014(e) is not applicable to objections to approval of disclosure statements.

3. The Local Rules are applicable to proceedings in this Court. *See* Bankr. E.D. Mich. R. 9029-1(1)(a). Local Rule 7.1(d)(3)(A) provides that “[t]he text of a brief supporting a motion or response, including footnotes and signatures, may not exceed 25 pages. A person seeking to file a longer brief may apply *ex parte* in writing setting forth the reasons.” E.D. Mich. R. 7.1(d)(3)(A).

4. The Trustee requests entry of an order expanding the page limitations set forth in Local Rule 7.1(d)(3)(A) to the extent that this rule applies to the Objection.

5. The Trustee submits that it requires thirty pages (including the signature block and certificate of service) to address adequately the myriad, complicated issues concerning the Trustee and holders of bonds issued by the DWSD.

WHEREFORE, the Trustee respectfully requests that: (i) it be granted relief from Local Rule 7.1(d)(3)(A); (ii) it be permitted to file its Objection in excess of the page limitation; (iii) the Court enter an order substantially in the form attached hereto granting the relief sought; and (iv) such other and further relief to the Trustee be granted as the Court deems just.

Respectfully submitted this the 7th day of April, 2014.

/s/ David E. Lemke

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*Attorneys for U.S. Bank National Association, as
Indenture Trustee for the Water and Sewer Bonds*

SUMMARY OF ATTACHMENTS

The following documents are attached to this Ex Parte Motion, labeled in accordance with Local Bankruptcy Rule 9014-1(b):

Exhibit 1 - Proposed Form of Order

Exhibit 2 - None [Motion Seeks *Ex Parte* Relief]

Exhibit 3 - None [Brief Not Required]

Exhibit 4 - Certificate of Service

Exhibit 5 - None [No Affidavits Filed Specific to This Ex Parte Motion]

Exhibit 6 - None [No Documentary Exhibits Filed Specific to This Ex Parte Motion]

EXHIBIT 1
Proposed Form of Order

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
(DETROIT)**

In re:)	
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CITY OF DETROIT, MICHIGAN,)	CASE NO.: 13-53846
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**ORDER AUTHORIZING THE WATER AND SEWER BOND
TRUSTEE TO FILE AN OBJECTION TO THE CITY'S AMENDED
DISCLOSURE STATEMENT IN EXCESS OF PAGE LIMITATIONS**

This matter coming before the Court on the *Ex Parte Motion of the Water and Sewer Bond Trustee for an Order Authorizing it to File an Objection to the City's Disclosure Statement in Excess of Page Limitations* (the "**Ex Parte Motion**"); and the Court being fully advised in the premises determines and concludes that the Ex Parte Motion is due to be **GRANTED**.

WHEREFORE, based upon the foregoing, it is hereby:

ORDERED, ADJUDGED and DECREED that the Trustee is granted relief from Rule 7.1(d) of the Local Rules for the United States District Court for the Eastern District of Michigan and may file *The Water and Sewer Bond Trustee's Objection to the Amended Disclosure Statement* in excess of the applicable page limitations.

Signed on _____, **2014**

Steven Rhodes
United States Bankruptcy Judge

EXHIBIT 3
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Ex Parte Motion of the Water and Sewer Bond Trustee for an Order Authorizing it to File an Objection to the City's Disclosure Statement in Excess of Page Limitations* was filed and served via the Court's electronic case filing and noticing system to all parties registered to receive electronic notices in this matter, this 7th day of April, 2014.

/s/ Ryan K. Cochran

David E. Lemke (TN13586)

Michael R. Paslay (TN11092)

Ryan K. Cochran (TN25851)

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